

REMARKS

This Amendment is in response to the final Office Action mailed September 15, 2006 in the above-referenced patent application. Applicants respectfully request entry of this Amendment as placing the application in proper condition for allowance, or in the alternative, in even better form for appeal.

Claims 1-5, 8-9, 11-15, and 17-21 are pending in the application, and stand rejected.

Claim 1 is amended herein to include the subject matter of claim 7, and claim 7 canceled accordingly.

Claims 17 and 18 were objected to in the Office Action, because claim 17 depended from a canceled claim. Claim 17 has therefore been amended to depend from claim 12, as suggested.

* * *

Claims 1-5, 8, 11-14, and 17-21 were rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Cobb, U.S. Pat. No. 3,025,861 (Cobb '861) in view of McIntosh, U.S. Pat. No. 1,631,750. Applicants respectfully traverse the rejection and request reconsideration.

Cobb '861 is seen to relate to the use of plug wrap paper coated with an adhesive (column 1, lines 61-63), it being acknowledged in the Office Action that Cobb '861 is silent as to the paper having cellulose acetate incorporated therein.

McIntosh is seen to relate to a new and useful paper product in which a cellulose ester is added during processing, the paper product being useful for a wide variety of uses, such as a raw material from which machine elements such as gears, pulleys, or the like may be formed or machined, and also as an electrical insulator, a material for making containers, or other structures which it is desirable shall be unaffected by moisture, oil or other liquids. See page 2, lines 10-21 of McIntosh.

There is no mention whatever in McIntosh that the paper of McIntosh, nor indeed any other paper, would be suitable as a plug wrap paper such as that disclosed in Cobb '861, nor of course, would any of the uses of McIntosh suggest that the paper of McIntosh may be suitably adapted for use as the plug wrap paper of Cobb '861. Nor would one expect that the plug wrap paper of Cobb '861, whether or not having a cellulose ester incorporated therein as in McIntosh, would be useful for any of the purposes suggested in McIntosh.

Applicants therefore respectfully submit that Cobb '861 and McIntosh are improperly combined, and that such a combination could only be made using impermissible hindsight, having Applicants application already in mind, there being no motivation in either reference, or the art generally, to combine the references as the Examiner has combined them. Applicants therefore respectfully submit that the rejection is overcome, and request that it be withdrawn.

* * *

Claim 7 was rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Cobb '861 and McIntosh as applied above, and further in view of Pearman, U.S. Pat. No. 3,426,764. Applicants respectfully traverse the rejection and request reconsideration.

Pearman is seen to relate to a *paper cigarette filter*, that is, to a cigarette filter in which the paper serves as the filtering material, the paper material of Pearman including cellulose acetate fibers. However, there is no other filtering material such as, for example, the cellulose acetate filaments of Cobb '861. Thus, Pearman suggests that the paper itself provides suitable filtration, and that other filtering material such as the cellulose acetate filaments of Cobb '861 is not required. There would therefore be no reason to combine Cobb '861 with Pearman.

Similarly, McIntosh discloses a paper product comprising cellulose ester, the paper product being useful for a wide variety of uses, such as a raw material from which machine elements such as gears, pulleys, or the like may be formed or machined, and

also as an electrical insulator, a material for making containers, or other structures which it is desirable shall be unaffected by moisture, oil or other liquids. Pearman, for its part, teaches the use of paper comprising cellulose acetate fibers for use as a filtration material. There is no reason to think that the paper of either reference might be suitably adapted for use according to the other, and indeed, the uses seem to conflict, since McIntosh suggests moisture resistance while Pearman suggests significant moisture content in the paper itself, so that the moisture in the filtered air simply passes through the filter. In any event, no motivation is seen to combine the references as the Examiner has combined them, other than perhaps Applicants' own disclosure.

On the basis of the foregoing, Applicants respectfully submit that the references are improperly combined, and that the only motivation to combine the references would have been Applicants' own disclosure, using impermissible hindsight. Applicants therefore respectfully request that the rejection be withdrawn.

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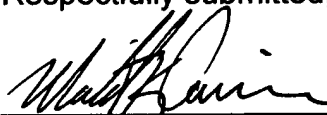
Claims 9 and 15 were rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Cobb and McIntosh as applied above, and further in view of Cobb et al., U.S. Pat. No. 3,106,501. Applicants respectfully traverse the rejection and request reconsideration.

The deficiencies of the rejection based on Cobb '861 and McIntosh have already been addressed, and Applicants respectfully submit that these references taken with Cobb et al. would lead those skilled in the art no closer to the claimed invention than would Cobb '861 and McIntosh taken alone. Applicants therefore respectfully request that the rejection of claims 9 and 15 be withdrawn, and the claims allowed.

Applicants respectfully submit based on the foregoing that the rejections are overcome, and respectfully request that they be withdrawn. In the event the rejections are maintained, Applicants respectfully request that the claim changes be entered, in order to place the application in even better form for appeal.

No Fee is believed to be due with this Response. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment in fees to Deposit Account No. 05-0221.

Respectfully submitted,



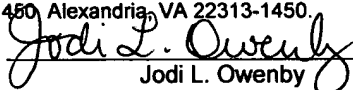
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29 November 2006
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Jodi L. Owenby

November 29, 2006
Date